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USPTO  
ELECTRONIC ACCOUNTING

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2007 OCT 11 AM 4:47

In re U.S. Patent No.: 6,975,121B2

Application  
Serial No.: 10/806,046

Filed: 03/22/2004

Atty. Docket No.: KJT-04-01

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OFFICE OF PETITIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO CORRECT ENTITY STATUS UNDER 37 CFR 1.28(c)

Sir:

The referenced patent incorrectly claimed small entity status. Such claim of small entity status was made in error and without deceptive intent. The patentee/applicant hereby submits the corrected fees for a large entity as follows:

1. APPLICATION FILING FEE

The Application Filing Fee actually paid was: \$385

The Filing Fee for the application payable as of the current date is: \$1030

The Filing Fee deficiency is therefore: \$645

2. EXTRA CLAIM FEES

The Extra Claim Fee actually paid on 06/09/2004 on the total claims in excess of twenty (17) was: \$153

The Extra Claim Fee on the total claims in excess of twenty (17) payable as of the current date is: \$850

The Extra Claim Fee deficiency is therefore: \$697

### 3. ADDITIONAL FEES

The Additional Fee paid on the late filing fee or oath was: \$65

This Additional Fee payable as of the current date is: \$130

The Additional Fee deficiency is therefore: \$65

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### 4. EXCESS CLAIM FEES

The Excess Claim Fee actually paid on 04/27/2005 on the total claims in excess of twenty (13, as 17 were paid on 06/09/2004) was: \$325

The Excess Claim Fee on the total claims in excess of twenty (13, as 17 were paid on 06/09/2004) payable as of the current date is: \$650

The Excess Claim Fee deficiency is therefore: \$325

### 5. ISSUE FEE

The Issue Fee actually paid for the application was: \$700


The Issue Fee payable as of the current date is: \$1440

The Issue Fee deficiency is therefore: \$740

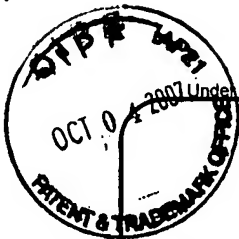
The undersigned attorney of record for the patentee/applicant hereby submits the total amount of \$2472 in satisfaction of the previously underpaid fees set forth above. The Commission is respectfully requested to accept the proffered fees and change the status of the present patent/application to large entity.

Respectfully submitted,

Date: Oct. 2, 2007

  
\_\_\_\_\_  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/806, 046

Filing Date

03/22/2004

First Named Inventor

Strack, K

Art Unit

2862

Examiner Name

Aurora, R

Attorney Docket Number

KJT-04-01

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### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation  
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify  
below):

#### Remarks

(1) request to change entity status  
(2) check #1673 for \$2472.-  
(3) return receipt postcard

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Signature

Printed name

Date

Reg. No.

Richard A. Fagin  
Richard A. Fagin  
10/1/2007

39,182

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Katheryn A. Fagin  
Katheryn A. Fagin

Date

2 Oct 07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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